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P/3610-71 (P/4976-35)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jean-Marie GOUOT et al.

Date: January 30, 2009

Serial No.: 10/587,802

Group Art Unit: 4121

Filed: October 10, 2006

Examiner: Pihonak, Sarah Maureen

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYLBENZAMIDE
DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE TRANSPORT
OF ELECTRONS OF THE RESPIRATORY CHAIN IN PHYTOPATHOGENIC
FUNGAL ORGANISMS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action mailed January 5, 2009, for the above-identified application. Reconsideration of the application is respectfully requested. No additional fee is required.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

Remarks/Arguments begin on page 2 of this paper.